

18 February 2013

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Enterprise Bargaining Update for UnitingCare Health Clerical and Administrative Employees

Your ASU Negotiating Team met with UCH Bargaining representatives on Tuesday, 12 February, 2013. The purpose of this meeting was to receive UCH response to our Log of Claims which is tabled as follows:

ASU CLAIM	UCH POSITION
<ul style="list-style-type: none"> Maintain all <i>UnitingCare Health Clerical Enterprise Agreement 2011</i> existing terms and conditions which are not improved in the new Agreement and ensure that no terms and conditions fall below the Modern Award or the National Employment Standards. 	<p>Not agreed, held pending what may need to be offset in order to achieve other improvements.</p> <p>UCH do commit to ensuring they meet the Better off overall test (BOOT) in comparison to existing Agreement and Award as required by Fair Work Act.</p>
<ul style="list-style-type: none"> Incorporate any undertakings given before Fair Work Australia into the new Agreement. 	<p>Not agreed.</p> <p>Remains as previous commitment provided to Fair Work Australia 22/6/12 as follows:</p> <p><i>'This undertaking has been given as staff and management have waited for an outcome for a significant period of time. UCH must now manage rosters and staff composition differently in order to contain these unexpected costs to our business. The unforeseen cost will be a factor for discussion at future negotiations.'</i></p> <p>The definition of 'shift worker' was not an issue considered or negotiated by the parties during the course of bargaining for the UCH Clerical Enterprise Agreement 2011.</p>
<ul style="list-style-type: none"> 4.0 % annual wage increase for the life of the Agreement. 	<p>Not agreed.</p> <p>UCH say ASU to detail productivity gains including cost offsets to justify so high a claim for increases in wages.</p>
<ul style="list-style-type: none"> 3.0 % increase to employer superannuation contributions. 	<p>Not agreed.</p> <p>UCH commit to only contribute at the rate required by law.</p> <p>The superannuation guarantee rate will increase by 0.25% on 1 July 2013 and 1 July 2014 and further increases to reach 12% by 2019-20.</p> <p>UCH say any increases will be taken into account when negotiating future wage increases.</p>

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<ul style="list-style-type: none"> Increase Casual Loading to 25%. 	<p>Not agreed.</p> <p>UCH focus for increases will be primarily on the quantum of the wage increase.</p>
<ul style="list-style-type: none"> Implementation of outcomes arising from the Review of the Classification Structure. 	<p>All mutually agreed outcomes from the clerical classification review will be modelled and costed and included in negotiation outcomes.</p> <p>UCH say they will not agree to increased costs without benefit.</p>
<ul style="list-style-type: none"> 5 weeks Annual Leave for all employees other than shift workers. 	<p>Not agreed.</p> <p>UCH link back to undertakings given regarding definition of shift worker. UCH say resulting cost will be considered during the course of negotiations.</p> <p>UCH want more detail around the proposed provisions for annual leave, definitions and example draft clauses.</p>
<ul style="list-style-type: none"> Ability to access Annual Leave at half pay with double the time upon request. 	<p>Not agreed.</p> <p>UCH say prepared to discuss in context of overall negotiations.</p>
<ul style="list-style-type: none"> Remove the restriction on the minimum duration of leave to be taken. 	<p>UCH say there is no minimum restriction applied for Annual Leave.</p> <p>Long Service leave minimum remains at 2 weeks, however discretion can be applied in compassionate circumstances.</p>
<ul style="list-style-type: none"> Parental Leave: <ul style="list-style-type: none"> Amend parental leave language to change maternity and paternity to primary and secondary carer's. Increase primary carer's paid leave (maternity) to 14 weeks Increase secondary carer's (paternity and same sex partners) to 4 weeks Link paid parental leave to the Federal Government Paid Parental leave Scheme by accruing all leave/s, paying superannuation and topping up Government payments to the employee's full ordinary wage rate. 	<p>Position is as follows:</p> <ul style="list-style-type: none"> Will provide parental leave consistent with the National Employment Standards (NES). Not agreed. 7 weeks paid maternity leave remains available to eligible employees. Not agreed. A non-primary carer can access their personal leave for 3 days paid parental leave. An employee can access long service leave where they have greater than 7 years continuous services Not agreed. <p>UCH prepared to have further discussions in context of overall negotiations.</p>

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ASU CLAIM	UCH POSITION
<ul style="list-style-type: none"> Flexibility clause: <ul style="list-style-type: none"> Limit the current options to (to be negotiated) 	<p>Not agreed.</p> <p>It remains UCH intention to adopt the model flexibility clause permitting arrangements about when work is performed; overtime rates; penalty rates; allowances; and leave loading.</p>
<ul style="list-style-type: none"> Union Rights: <ul style="list-style-type: none"> 38 paid hours training for Delegates Access to facilities to enable Union duties to be performed Access to new employees at induction Access to paid leave to participate in the operation of the Union All Union leave to count as service Paid union meetings by agreement 	<p>UCH provided a Working Draft document with provisions relating to this claim. For review and feedback.</p> <ul style="list-style-type: none"> Not provided for in Draft document. Not provided for in Draft document. UCH will not put in Agreement. UCH say union welcome in staff orientation programs as determined at each facility. Not agreed. Only paid industrial relations training leave will be counted as time worked. This is not worded in Draft document. Not provided for in Working Draft
<ul style="list-style-type: none"> Abolish Junior Rates of Pay 	<p>Not agreed.</p> <p>UCH say did compress in last EBA and moved from 15 yrs to 18 yrs.</p> <p>UCH say junior rates or pay enables a junior to be able to compete against more experienced people.</p>

Delegates from the Building Engineering and Maintenance Union (BEMS) and Australian Workers Union (AWU) negotiating teams were also present. In this meeting, management chose to respond to both BEMS and ASU claims in a consolidated form comprising AWU claims.

The ASU expressed our disagreement that UCH had consolidated their responses to all of our claims and explained that we proceed on the basis that we still hold our position of maintaining and negotiating a separate agreement for administrative and clerical employees.

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As you can see in the tables on the previous pages, the majority of our claims were not agreed by UCH, apart from those held over for further discussion. Again we expressed our disappointment that:

- All up the consolidated claims now amount to 65 items!
- How will we work through the 65 items considering the majority of all claims have been not agreed?
- UCH have produced a consolidated Draft Document;
- We see this potentially as a claw back exercise;
- We anticipate a long and protracted process;
- Backpay has always been a contentious issue;
- We anticipate an unhappy workforce if this is drawn out.

At the conclusion of the meeting management tabled their 'Working Draft Agreement' for our review and encouraged us to consider and agree on any of those clauses contained within the draft. UCH say there will be specific issues for different groups which we can expect to discuss and incorporate eg. junior rates – apprentices/traineeships/clerks on weekend work. Such specific issues will be separate and the draft document prepared by them contains conditions across the 3 operational streams.

It is UCH's expectation that we provide our feedback at the next meeting which has been set down for 1:00 pm on Tuesday, 26 February, 2012.

If you wish to express your views on the positions adopted by UCH in relation to your claims, please contact your local workplace Delegate or forward your views to: info@qld.asu.net.au

Your ASU Negotiating Team representatives are:

- ASU Delegate Noelene Blatchely – St Stephens Hospital
- ASU Delegate Beth Barnes – St Andrews War Memorial Hospital
- ASU Delegate Ann Stewart – The Wesley Hospital
- ASU Lead Organiser, Valda Graham

Union members working Together to improve and protect their working conditions and wages.

**Your Workplace • Your Ideas • Your Conditions • Your Unity
and Solidarity • Your Outcomes • Your Union!**

Together We Win!